M. T. B. F. 15.

1936.
(RJ)

File No. 30-36

Serial Nos. 1

Previous References

L 1 C - 35

Later References.

G.E 16-65-8

MYSORE TRAFFIC BOARD.

Serial Nos. 1

SUBJECT.

Delegating the [illegible]
powers of the Board Controlling Executive
Officers to the Administration of the

P. 3237 of 16-11-36

WD 0181—GPB—500—18-8-3

To. The Compiler, Mysore Gazette

Issue Now —

1704(a)/36

General and Revenue Secretariat | File No. | of 193 . | [App. F. III—2

Serial No.

Petition dt 6.2.36 from Mr B. Govindappa praying for the grant of permit to run a bus on hire between Alur & Pavagada via Tumkur.

1) The petn is unstamped & may be returned to the party or be filed.
Subd for orders.
8/2
12.2.36

2) Return it to the party
H.A.R
11/2/

3) Apt subd.
8/15.2.36

4) This is addressed to the Secretary Board and it is not clear if the Board can legally insist on petitions being stamped. If so with stamps of what denomination
Asst Secy. Case will comply.
H.A.R

5) The Court fee Regulation prescribes a fee of Rs 1/8/- for applications presented to the Chief Controlling revenue or executive authority. Chief controlling executive authority is the Govt and I do not think applications to the Secy, Traffic Board come under any of the applications provided

WD 09594—GPB—80,000—13-7-35

4919/P/35

566/T.B

File No. of 193 . | General and Revenue Secretariat

for in the Ct fee Regn and as such no fee is leviable on such applications unless provision for the same is made under rules under the Road Traffic or the Motor Vehicles Regn, if such is possible and is also deemed necessary & desirable.

Secy Traffic Bd with compts. } JSRE 19.2.36.

Please put up the Court fee Regn

JAR 24/4/

Regn case vol II containing Fee Regn put up. 3/ 5/4/36

The Traffic Board is the chief controlling Revenue executive authority in the matter of motor taxes and rules. The circular issued in this connection is put up. Is this enough or is there any notification required?

Asst. Secy. Law with compts

JAR 30/6

→ Where is this 3/3 JSRE 30/6 Law JSRE 2/7/6.

To, Tr. Bd. (Secy) for info & c/s of circular issued 1/7. Pol. Branch. c/s. The circular is put up. CSS. 2/7.

Serial No.

363
Law

L.O.No. p 4236 dated 4/7/36.

19 of 1936-37
16.7.36

8 Even under the Circular now issued Govt Customs to be the Chief Controlling authority in the matter of motor taxes and rules.

TSD 2/7/9 Forwarded with compliments to the Govt Advocate

For favour of opinion as to whether the Traffic Board constituted under Sec 4 of Reg VI of 1935 be deemed to be a chief controlling Revenue Authority for purposes of the Court fee Regulation.

M Ramaswamy
4/7/36.

L.O. No. 36/36-37
dt 7.9.36

Returned with compliments.

The expression 'Chief Controlling Revenue Authority' is defined in the Court Fees Regulation as the Government of such Officer as the Government may, by notification in the Official Gazette, appoint in that behalf, and the Traffic Board is obviously not one such. But the Regulation does not define the 'Chief Controlling Executive Authority'. The Traffic Board consists of persons appointed by Government to constitute it under Section 4 of Regn. VI of 1935, which provides that the composition of the Board shall be subject to such exceptions and conditions as the Government may from time to time make and impose. The Chairman of the Board has to be appointed by

GENERAL SECRETARIAT 7 SEP 1936

WD 03594—GPB—30,000—18-7-35

(4)

191935

566/TC

File No. of 193 . General and Revenue Secretariat

appointed by Government and it is significant that he need not be a Member of the Board. Government have also the power to remove at any time any Member of the Board and to fill up the vacancy themselves and under Section 5 of the Regulation it is the Government that should invest the Board with such powers as may be necessary. In my opinion, therefore it would not be correct to think of the Board as a Chief Controlling Executive Authority either.

M. Macpherson 7/9
Government Advocate.

CSN/5.9.36

GENERAL & REVENUE SECRETARIAT
7 SEP. 1936
Copy of Memorandum not necessary
7/9

4) Secy, T & B^D
W C
MC
7/9

The question at issue is whether petitions, appeals etc to the Traffic Board should be stamped. The Govt Advocate who has been consulted by the Asst. Secy. Labour is of the opinion that at present it is neither a chief Controlling Executive authority nor a Chief Controlling Rev. authority and accordingly no stamps need

Serial No.

be affixed as present.

The applications and petitions addressed to the Dist. Registrars have to bear a stamp of as 12. Appeals against the orders may be preferred to the Traffic Board & the present position is that such appeals need bear no Stamps. This seems to be an anomalous position. It appears necessary therefore to fix some Stamp fees for petitions/applications to the Board.

This may be done by issuing a notification declaring the Traffic Bd. the Chief Controlling Rev. authority under the Seal for purposes of Motor Regulations and Taxes. According to the Court fees the Chief Controlling Revt may be the Seal or any other officer appointed by them for the purpose. The Scheme of Stamps is the Chief Controlling Rev. authority under the Regulation and the Rev. Code make the Rev. Comr. a similar authority for purposes of Revenue Code. As for the Traffic Board,

NOTE—Contn. Sheet.

566/TB of 35

File No. of 193 . General and Revenu Secretariat

Re Be

Sect. 5 of the Regulation empowers the Govt to invest the Board with necessary powers. Under this, the Board may be declared to be the Chief Controlling Rev authority. In this case, the Stamp fee will be Re. 1. 8. etc. The circular already issued to offices is not considered sufficient by the Pol Dept.

Strictly speaking, the proceeds of Stamps on motor applications should be credited to the Road Fund. As long as the applications are governed by Court Fee, Regulation Stamps have to be affixed. It will not be possible to make this differentiation. If fees are to be levied under the motor rules, it may be possible to ensure that it goes to the Rd Fund. This question will be separately examined in connection with the issue of notification declaring the Bd the Chief Controlling Rev. authority may similarly be appd.

Joint Member
Transport
Govt. Secretary)

JAR
10/9/

GENERAL
10 SEP. 1930

Serial No.

S.M. Mitra

Would it not be right if the Board issue
12 anna stamps for all petitions
as the Rev Dept does in miscellaneous petitions
now

9/5

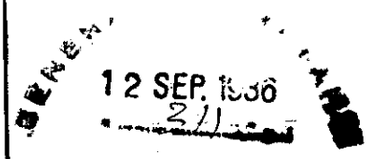
4 Accordiea of to the Regulat
12 anna stamps are prescribe
for applicaliois or petitions
presented to any Civil court
or Magistrate or to Deeds and
for the memoranda of appeal
presented to any Civil Court
other than the High Court for
any Revenue Court or Executi
offices, "other than the Chief
Controlling Rev or Executive
authority". These 12 anna
Stamps would be required
only if the Bd Board is recogn
as the Chief an Executive oth
or Rev. Officer. The Bd is only
Central authority in all matte
connected with proper valuable
Rules etc according to Govt
Circular. If this position is take
incompatible with that of an
executive or Rev. Officer. Bd
in toll matters appeals are
preferred to the Bd or the

NOTE–Contn. Sheet.

(6) 4919 of 35 560 of 36 1 1041 of 36

File No. P of 193 .

General and Revenue Secretariat



decisions of the R.C. himself is a Chief Controlling Rev. Authority in Rev. matters. The appeal to RC carries a stamp of 1-8-0, while the appeal against it would be to the Bd would be only 12 as. In many matters particularly decisions on Public Service permits, the decision of the Bd is under the rules declared to be final. Such appeals hitherto have to lapse, where a stamp of Rs 2 had to be affixed in view of all this, I submit that the Bd may be declared a Chief Controlling Rev. Authority so that stamps as for that authority will may be affixed (Govt. sanction).

17/9.

Please consider the above and let me know your views.

17/9 AR

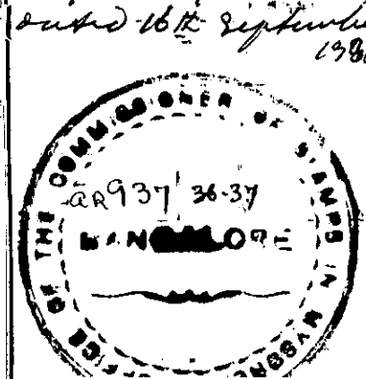
Forwarded with Compliments to

17/9/ E.B.No.p 58936 dated 16th September 1936.

the Commissioner of Stamps in Mysore, for favour of furnishing his opinion in the matter.

By order,

For General Secretary



Subd 16/9 W.

(9)

General & Revenue Secretariat. | File No. of 193 . | [App. F. III–2

Serial No. (7)

L/o. a-A937/3637. 25/9/1936.

Returned with compliments.

The answer to the question whether any ~~stamp~~ duty is or is not required in respect of petitions addressed to the Board de ends upon whether the Board can be considered as the Chief Controllong Executive Authori The Expression 'Chief Controllong Executive Authority has not been defined either in the Court Fees Regulation or in the General Clauses Regulation. When the entire State is contemplated, it means Government, bu when Departments are taken into consideration, it may mean their heads also, as they are the Chief Officers who control and regulate the work. Under the Land -- Revenue Code, the Revenue Commissioner is the Chief Controlling Authority subject to Government. The -- Income-Tax Commissioner, the Inspector-General of Reg tration and the Registrar of Joint Stock Companies ar treated as Chief Controlling Executive Authorities, wh insist upon stamps being affixed to petitions address to them. On an examination of the functions of the Traffic Board, it is seen that they are not different from those of a 'Head of Department' and the Board. ca very well be treated as such and declared by Notifica tion as the Chief Controlling Executive Authority.

Commissioner of Stamps.

25 SEP 1936

12 Subs for perusal. The question is what stamps should be affixed to Applicatio made by pets to the Traffic Board

NOTE—Contn. Sheet.

(10) 1704(5)/30 566/TB

File No. of 193 .

General and Revenue Secretariat

Petitions to Heads of Depts require As 1-8-0 stamps. The Traffic Bd. would seem to correspond to the Head of a dept. so far as the matters which it deals are concerned. The Govt. Advocate's opinion is noted in paragraph 10 and the Stamps Comm's opinion in the paragraph just preceding this note. The Traffic Bd (as now constituted) may perhaps be declared the Chief Controlling Revenue Authority under sec 2A.

2nd 25/9 HK 26/9/

Legal Member

Fin. Member

19) NW 29/9/36.

2nd 30/9/

K 30/9/

OFFICE OF THE SECOND MEMBER OF COUNCIL. 28 SEPT. 1936 NO. 2285

OFFICE OF THE FIRST MEMBER OF COUNCIL. 2 OCT 1936 2 30

20) JPS 3/10 2nd 7/10

21) Draft notification

HK 5/10

22) Sft notifn sent for Kind approval.

23) Asst. Secy. Laws will compare to-day's notification as issued & may cancel

Asst. Secy Laws

HK 10/10/

(1704(40)

(11)

Serial No.

(4) The draft put up seeks to notify the Traffic Board as the chief Controlling Rev: authority ~~for purposes of~~ under sec 2A of the Court Fee Regulation. The consequence would be that ~~the~~ Board ~~will~~ can then exercise the powers vested in such authority in sec 21, 26, 32 and such other sections of the Ct Fee Regulation - This is not what is apparently contemplated.

The better way perhaps is to make the Board the chief Controlling executive authority in matters relating to the Motor Vehicles Regulation + other Regulations mentioned in sec 4 of the Road Traffic + Taxes Regn + this may, I think, be done by a notification under sec 5 of the said Regulation. When next this Regulation is amended, such a provision may be ~~made~~ incorporated in the Regulation itself, as in sec 4 L.R. Code, Sec 3 Regn VII of 1927.

Secy, Traffic Bd
with compts

13/10/36

(5) The draft received in accordance with the above is submitted for appl. The Bd will be declared the Chief Controlling

(12) Re. Fixing of Stamps to the applications presented to the Traffic Board.

1704

RT File No. 566 / 4585 / TB 30 of 1936

General and Revenue Secretariat

Exec. Secretary
Geen - Secy)

HSR
15/10/36

GENERAL SECRETARY
15 OCT. 1936
198

GENERAL SECRETARY
21 OCT. 1936

PC - please pour up the Telegram

XXX

mw
17/10

HSR
17/10

Will Asst Secy Law please speak to me re this some time?

mw
21/10

27) Reference in para 20.
As the Law Secy considers "Chief Contg Exec authority" an unsuitable phrase in this case the suggn to declare the Traffic Bd the chief controlling Executive authority may be adopted. Draft notifn accdgly is subd for appn

mw
10/11

HSR
10/11

29) Secy
~~Secy~~ Member

29) SPV
12/11

30) mw
14/11

31) Issue

HSR
14/11

Issued no p. 3237 dt 16.11.36.
Constituting the Traffic Board as the

OFFICE OF THE FIRST MEMBER RAILWAY BOARD
11 NOV 1936
No. 2844

In Traffic Board as chief controlling Executive authority — Investing of powers to —

566 of 35
T.B

M. T. B. F. 13.]

Mysore Traffic Board. | File No. | of 193 .

Serial No.

Published at page 446 part IV Mys. Gaz. 8/12 [illegible]

DEWAN'S OFFICE
25 NOV. 1936
No. 1581.

Chief ~~Cont~~ Controlling executive authority for the administration of the Road Traffic & Taxation Regulations etc.

32) Submitted for perusal

Dewan)

V&R
25/11/

Ms
26-11-36

V&R
26/11/

Kind reference is invited to the paragraph at page 6 of the notes where it is stated that the question of crediting the amount realised from stamps to be affixed to the applications made to the Traffic Board will be examined separately.

This above question will be taken up and a separate file opened for it if ~~req~~ Submit for orders.

V&R
27/11/

Bz
27.11.36

The question of crediting the amount realised from stamps to be affixed to applications addressed to the Traffic Bd has been discussed in file bearing D. No 1046

WD 0179—GPB—4,000—20-8-36

File No.	of 193 .	Mysore Traffic Board.
		Serial No.

and has been ordered to be filed -
This file may now be removed.
S&R
18/1/

B
18/11/24

1510 GRS

NOTIFICATION.

No. P. 3237—R. T. 30-36-1, dated Bangalore, the 16th November 1936.

In exercise of the powers conferred upon them by Section 5 of the Road Traffic and Taxes Regulation 1935, the Government of His Highness the Maharaja are pleased to invest the Traffic Board constituted under Section 4 (1) of the said Regulation with all the powers of the Chief Controlling Executive Authority for the administration of the Regulations mentioned therein.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

Dated, Bangalore, the 20th/22nd May 1936

Memo No.P.7751-67
Legis.86-35-1

CIRCULAR.

According to Section 4 of the Road Traffic and Taxes Regulation, the Traffic Board is constituted for the purpose of carrying out the provisions of that Regulation, the Mysore Motor Vehicles Regulation, and the Mysore Highways Regulation and the rules made under them. The Board will be the Central Authority in all matters connected with motor vehicles rules taxes on motor vehicles, tolls and the administration of the Road Fund. A Traffic Board Office has been constituted with effect from the 1st May 1936. All officers now exercising functions under the Regulation and rules specified above will, in future, address the Traffic Board in matters connected with the working of these rules, motor taxes, tolls, the establishment in connection therewith, or debits or credits to Road Fund and connected matters. In all matters in which approval or sanction of Government is necessary, the Traffic Board will address the Government.

Detailed Rules regarding the administration of Road Fund will also issue separately. Pending this, the procedure for the grant and expenditure of the amounts allotted for Maintenance of roads will continue as at present.

By order,

For General Secretary to Government.

To

The Deputy Commissioners of Districts.
" Inspector General of Police in Mysore.
" Revenue Commissioner in Mysore.
" Chief Engineer of Mysore.
" Comptroller to Government through Financial Department.
" Secretaries to Government.

4919 P 935

4919 P 936

925 TB 455

BR 7/4

To

The Secretary
Traffic Board in Mysore,
Bangalore.

Petitioner:- B.Govindappa, son of Late Mr. B. Thimmappa,
Pavagada.

Respected Sir,

I the undersigned beg to bring to your benign consideration, and favourable orders thereon.

I am a native of Pavagada, Tumkur District. At present lot of difficulty is being felt by the people of Pavagada and neighbouring places owing to want of proper conveyance from the Bangalore. As your honour is aware, our place has no train connection and besides it is situate in the corner of the state. passenger starting from Bangalore has to go to Tumkur first, then take up another bus to Madhugiri and catch some other bus again at the latter place to Pavagada. Especially for families the trouble of travelling from Bangalore to Pavagada is very exacting. I have heard many times that the people of Pavagada and the neighbouring villages petitioned to the District Magistrates, 1st Member of Council and the Dewan Sahe setting forth their greviences and praying for the license to a through bus from Bangalore to Pavagada and from Pavagada to Bangalore. Compelled by these peo le alone - have sent upon starting a bus line between these places. The officers cited above were kind enough to promise that my question would be favourably considered aft the advent of the traffic Board.

I am a past candidate of the Mechanical branch of the Engineering School, Bangalore, three years course, and have undergone practical training in the Government Central Industrical work shop one year. I have

~~ALSOXWO~~

also worked under Mr. Maurice Fryday an consulting and Electrical Engineer, Mysore Government Electrical Factory for about a year and half, with the expectation of getting a license for my bus, I left off all the offers of appointment and am remaining unemployed.

Under these circumstances I pray that license may kindly be granted to me to run bus service from Bangalore to Savandaga via Tumkur and vice-versa. The petitioner has a good knowledge of motor vehicles and efficiently run the bus service, rendering great convenience to the Public.

For which act of kindness I shall remain ever grateful.

Bangalore
6.2.1935

I beg to remain,
Respected Sir,
Your most obedient Servant.
B. Govindappa.

Please quote this number in your future communications.

No. .....

Office of the .....

Dated.....*193*

ENDORSEMENT.

To

Mr B. Govindappa
Son of Mr B. Thimmappa, Parvagada

Reference :—His/~~Her letter~~/petition dated .....6.2.86.....

Subject :— praying for grant of a permit to run a bus service between Blore & Pavagada via Tumkur

Reference is invited to item No. ....6 ii.....below.

Signature. ✓ JR

Designation. for Secy T. B.
15.2.86

---

*1. The request cannot be granted.....

2. The letter/petition has been referred to.....

for.....

3. Attention is drawn to this office No. .....dated.....

4. No. ....dated..... .....cannot be traced ; a copy may be sent.

5. The enclosures are not received.

6. The petition is returned herewith as

✓ (i) it is not in the prescribed form
or (ii) it is not duly stamped
or (iii) it is not presented within the prescribed time
or (iv) it is not accompanied by a copy of the order appealed from or complained of.

7. The petition is returned for presentation to.....

8. The petition is returned—
(*a*) as it is written illegibly
(*b*) as its subject matter is not clear
(*c*) as it is couched in improper language.

---

* Reasons if any to be mentioned in brief.

7D 0275—GPB—1,500—6-9-85

Appendix F G—1]

SUBJECT.....

.....

.....

Section R T

File No. 30-36

Serial No. /

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

Date of issue.....16.11.36.....

Signed by ..Dir. HR.....

List of enclosures.....

Copied by .....

Examined by.....

No. P 3237 Notification.

In exercise of the powers con-
ferred upon them by section 2 of
~~the Mysore Council for Regulation~~
the Road Traffic & Taxes Regn 1931
~~No III of 1900 as amended from~~
~~time to time, the Govt of His~~
the Govt of His
Highness the Maharaja are
~~pleased to declare~~ pleased to declare the Traffic
Board constituted under Sec
4 (1) of the ~~Mysore Road~~
said
~~Traffic and Taxes~~ Regn
with all the powers of the
~~No VI of 1935~~ as the chief
executive ~~Executive~~
Controlling (~~Revenue~~) authority
for the administration of the
Regulations mentioned therein
~~and for the Collection of cesses~~
~~taxes and tolls leviable~~

~~Under the said Regulation.~~

By order
Dy 10/11/36
Gen. Secy.

Y.

The Compiler mysore Gaz for publication in the next issue of the mysore Gaz & 15.10.36 and to print and supply direct ten copies each of the to All the Heads of Depts, DCs of Dists, Ml. Court Bldrs City mulf and President City Ml. Cl. mysore and 150 Copies to this office

By
8/10

P3237
R.T. 20-36

[illegible]

[illegible]

[illegible]

[illegible] General Orders [illegible]

[illegible] Headquarters, the 1st. November [illegible]

[illegible]

In exercise of the powers conferred upon [illegible] by section 2 of the Road Traffic and Area Regulation Act, [illegible] Government of Ireland the Undersigned [illegible] have [illegible] a traffic area constituted under section [illegible] of the said Section with all the powers of the Chief Controlling Executive Authority for the administration of the Regulations contained therein.

By Order,

[signature]

[illegible] Chief Commissioner.

NOTIFICATION.

No. P. 3237—R. T. 30-36-1, dated Bangalore, the 16th November 1936.

In exercise of the powers conferred upon them by Section 5 of the Road Traffic and Taxes Regulation 1935, the Government of His Highness the Maharaja are pleased to invest the Traffic Board constituted under Section 4 (1) of the said Regulation with all the powers of the Chief Controlling Executive Authority for the administration of the Regulations mentioned therein.

By Order,

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

Printed by the Superintendent at the Government Press, Bangalore.